

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WISCONSIN MASONS 401(k) FUND,
BILL BONLENDER, and
BRICKLAYERS AND ALLIED CRAFTWORKERS
DISTRICT COUNCIL OF WISCONSIN,

Plaintiffs,

v.

KATHLEEN M. FROODE,

Defendant.

ORDER

16-cv-676-jdp

Plaintiffs (a labor organization, employee benefit plan, and the plan's trustee and fiduciary) bring claims against defendant Kathleen M. Froode for violations of the Employee Retirement Income Security Act (ERISA), civil theft, and conversion. Dkt. 1. Plaintiffs allege that Froode failed to make required contributions to the plan. Plaintiffs move for summary judgment. Dkt. 19.

Froode, who appears pro se, has filed an opposition brief that does not comply with this court's procedures to be followed on motions for summary judgment. Dkt. 26. Most importantly, Froode has not responded to plaintiffs' proposed findings of fact. Because Froode is a pro se litigant, I will give her an opportunity to file a response to plaintiffs' summary judgment motion, including a response to plaintiffs' proposed findings of fact, Froode's own proposed findings of fact, and evidence or exhibits to support her claims. I will include with this order an additional copy of this court's procedures to be followed on motions for summary judgment, which details the requirements that Froode must follow. Froode should take particular care to respond to plaintiffs' proposed findings of fact. Any proposed fact not

disputed in whole or in part will be deemed undisputed. Froode should review the example response to proposed findings of fact included in the summary judgment procedures as a guide in drafting her own responses.

ORDER

IT IS ORDERED that:

1. Defendant Kathleen M. Froode may have until February 26, 2018, to file her complete opposition to plaintiffs' motion for summary judgment.
2. The clerk of court is directed to send defendant a copy of the court's procedures on motions for summary judgment included with the pretrial conference order. Dkt. 10.

Entered February 5, 2018.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge